

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

Civil Action No.: 5:08-CV-00460-FL

<u>CAROLINA POWER & LIGHT COMPANY</u>)
d/b/a PROGRESS ENERGY CAROLINAS,)
INC.,)
)
Plaintiff,)
)
v.)
)
3M COMPANY, et al.,)
)
Defendants.)

Civil Action No.: 5:08-CV-00463-FL

<u>CONSOLIDATION COAL COMPANY,</u>)
)
Plaintiff,)
)
v.)
)
3M COMPANY, et al.,)
)
Defendants.)

ENTRY OF DEFAULT AS TO THIRD-PARTY DEFENDANT DAVIS. JERRY INC.

WHEREAS, it has been made to appear to the undersigned, upon declaration or otherwise, that Third-Party Defendant Davis. Jerry Inc. has failed to plead or otherwise defend against Third-Party Plaintiff PCS Phosphate Company, Inc.'s Third-Party Complaint;

AND IT APPEARING to the undersigned, that Third-Party Defendant Davis. Jerry Inc. is subject to default as provided by the Federal Rules of Civil Procedure;

THEREFORE, default is hereby entered against Third-Party Defendant Davis. Jerry Inc.
pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

This the 46th day of January, 2012.



Clerk
United States District Court
Eastern District of North Carolina